

"Approved by the City Council/Redevelopment Agency Board on December 16, 2009"

CITY COUNCIL/REDEVELOPMENT AGENCY WESTMINSTER, CALIFORNIA
MINUTES OF AN ADJOURNED REGULAR MEETING November 18, 2009

The City Council/Agency Board of the City of the Westminster, California convened on November 18, 2009 at 4:45 p.m. in a Closed Session in the Council Conference Room, 8200 Westminster Boulevard, Westminster, California.

4:30 P.M.
CLOSED SESSION

CALL TO ORDER: 4:45 p.m.

ROLL CALL:

PRESENT: RICE, TA, FRY (arrived at 4:55 p.m.), QUACH, DIEP
ABSENT: NONE

CLOSED SESSION

- 1) Pursuant to Government Code Section 54957: Public Employee Recruitment: Chief of Police

RECESS: At 6:50 p.m., Mayor Rice recessed the meeting held in the Council Conference Room.

RECONVENE CITY COUNCIL/REDEVELOPMENT AGENCY MEETING: The City Council/Redevelopment Agency Meeting reconvened at 7:10 p.m. in the Council Chambers.

ROLL CALL:

PRESENT: RICE, TA, FRY, QUACH, DIEP
ABSENT: NONE

SALUTE TO FLAG: Mayor Pro Tem Ta

INVOCATION: Council Member Quach

REPORT OUT OF CLOSED SESSION - None

REPORT FROM CITY CLERK ON LATE COMMUNICATION ITEMS - None

1. SPECIAL PRESENTATIONS**A. Presentation of Proclamation – “National Family Caregiver’s Month” (November 2009) (115-00) (09)**

The Mayor and City Council presented the Proclamation for "National Family Caregiver's Month" to Irene Clemente, California State Representative Volunteer.

B. Presentation of Certificates of Appreciation for Founder’s Day Parade (115-00) (09)

The Mayor and City Council presented Certificates of Appreciation to Leo Lopez and the other volunteers for donating the use of their vehicles for the 2009 Founder's Day Parade.

2. ORAL COMMUNICATIONS

David Davis, Westminster resident, thanked the Mayor and City Council for having the left turn markings at Goldenwest Street and Humboldt Street corrected. He also said that he would still like to have a keep clear sign placed at the same intersection.

Dale Bradberry, Westminster resident, spoke in regards to the recent disappearance of a little boy in his neighborhood and commended the Westminster Police Department on a job well done. He also spoke regarding the Metropolitan Water District's General Manager annual salary.

3. CONSENT CALENDAR**APPROVAL OF MINUTES****3.1 (Council/Agency) Minutes of the Regular Meeting of the City Council/Redevelopment Agency meeting of October 28, 2009.**

ACTION: Approved.

ROUTINE MATTERS**3.2 First Amendment to Consulting Services Agreement with The Planning Center in order to extend the length of the contract. (502-20)**

ACTION: The Mayor and City Council approved the first amendment to the consulting services agreement with The Planning Center for the Moran Street Comprehensive Plan and authorized the City Manager to execute the amendment on behalf of the City.

(ITEM REMOVED AND HEARD SEPARATELY)**3.3 Presentation of a Summary of Facts regarding the operations at 9741-9743 Bolsa Avenue (Catinat Plaza) as required by Condition No. 40 of Council Resolution 4059 pertaining to conditional use permit and variance (Case No. 2006-59) which allowed live entertainment, the on-sale of beer and wine and a parking variance associated with Le Royal Restaurant/Banquet Hall. (201-00)(CN 2006-59)**

Mayor Pro Tem Ta and Council Member Quach recused themselves from voting on this item due to the fact that they live within 500 feet of the subject location.

Motion was made by Council Member Diep, and seconded by Council Member Fry to receive and file this report.

The motion carried by the following vote:

AYES: RICE, FRY, DIEP
NOES: NONE
ABSTAIN: TA, QUACH

3.4 Special Event Permit application from the Vietnamese Community of Southern California to hold a Lunar New Year Festival on Tuesday, February 2, 2010 through Tuesday, February 9, 2010 between the hours of 10:00 a.m. and 9:00 p.m. (includes set up and clean up days). The event will take place at the Westminster Mall parking lot, located at 1025 Westminster Mall, Westminster. Applicant estimates the attendance will be 1,500 people per day. (213-02)(VI)

ACTION: The Mayor and City Council approved the Special Event Permit application subject to the conditions attached to the staff report.

3.5 Acceptance of Final Tract Map Number 17235 for 7881 Eleventh Street. (201-01)(TM)

ACTION: The Mayor and City Council accepted Final Tract Map 17235 and authorized the City Clerk to sign, seal and record the map with the County Recorder's Office.

ORDINANCES (SECOND READING)/RESOLUTIONS**3.6 (Second Reading) Ordinance 2458 - An Ordinance of the Mayor and City Council of the City of Westminster, Repealing and Replacing Chapter 5.50 and Adding Chapter 5.51 to Title 5 of the Westminster Municipal Code, Relating to Alarm Systems. (805-08 & 805-10)**

ACTION: The Mayor and City Council adopted Ordinance 2458 entitled "An Ordinance of the Mayor and City Council of the City of Westminster, Repealing and Replacing Chapter 5.50 and Adding Chapter 5.51 to Title 5 of the Westminster Municipal Code, Relating to Alarm Systems and waives further reading.

3.7 Resolution 4270 - "A Resolution of the Mayor and City Council of the City of Westminster repealing Resolution 4214 which provided for the installation of disabled parking restrictions at 16461 Van De Velde Way" - T.C. 77-142. (608-03)

ACTION: The Mayor and City Council adopted Resolution 4270 approving the removal of blue curb (special parking zone for disabled individuals) at 16461 Van De Velde Way.

WARRANT REGISTER**3.8 (Council/Agency) Warrant Register dated October 27, 2009 through November 10, 2009. (105-09)(09)**

ACTION: Approved.

Motion was made by Council Member Quach, and seconded by Council Member Fry to approve the Consent Calendar with the exception of Item 3.3 which was removed for separate consideration.

The motion carried by a 5-0 vote.

END OF CONSENT CALENDAR

4. PUBLIC HEARINGS**4.1 Weed Abatement - FALL 2009 (618-01)(09)**

MAYOR RICE OPENED THE PUBLIC HEARING AND ASKED IF THERE WERE ANY PERSONS WISHING TO SPEAK IN FAVOR OR IN OPPOSITION TO THE ITEM. SINCE THERE WERE NO PERSONS WHO WISHED TO SPEAK IN FAVOR OR IN OPPOSITION TO THE ITEM, MAYOR RICE CLOSED THE PUBLIC HEARING.

Motion was made by Council Member Quach, and seconded by Mayor Pro Tem Ta to:

- 1) Overrule any objections received for the abatement of the weeds, and
- 2) Adopt Resolution 4269 entitled, "A Resolution of the Mayor and City Council of the City of Westminster determining and declaring that certain weeds are growing upon certain streets, sidewalks, parkways, and private property in the City of Westminster, and rubbish and refuse have been deposited upon sidewalks, parkways and private property in the City, and that the same are a public nuisance; ordering and directing the City Manager to have said weeds destroyed and to have rubbish and refuse removed as required by law", and waive further reading.

The motion carried by the following vote:

AYES: RICE, TA, FRY, QUACH, DIEP
NOES: NONE
ABSENT: NONE

5. MATTERS FROM COUNCIL/AGENCY/AUTHORITY MEMBERS**5.1 Council/Agency Member Items**

Council Member Fry spoke in regards to the Christmas lights in the City and the upcoming Christmas decorating contest that will take place on December 8, 2009. He also announced that the *King and I* is playing at the Westminster Rose Center.

Mayor Pro Tem Ta commended B.J. Savage on a job well done with the Veteran's Day Ceremony that honored Lance Corporal Kenneth Worley. He also wished everyone a Happy Thanksgiving.

Mayor Rice spoke in regards to the *King and I* playing at the Westminster Rose Center and announced that there is new artwork at the Westminster Rose Center. She introduced the new intern, Mai Tran, who will be working in the Mayor's office, and then invited everyone to attend the Kiwanis luncheon which will be held on December 3, 2009 at the Westminster Rose Center.

5.2 AB 1234 Reports

6. REGULAR BUSINESS

6.1 New Police Building Architectural and Engineering Contract Amendment No. 2. (502-04)

Motion was made by Council Member Quach, and seconded by Mayor Pro Tem Ta to:

- 1) Approve Amendment No. 2 to the agreement for Professional Architectural/ Engineering Services with DMJM H&N, Inc. (AECOM) and authorize an increase to their contract in an amount not to exceed \$250,000 for Fiscal Year 2009-10 for additional services; and
- 2) Authorize an appropriation in the amount of \$250,000 in the Capital Improvements Budget, Police Facility Construction and an increase to the purchase order with DMJM H&N, Inc. (AECOM) in an amount not to exceed \$250,000; and
- 3) Authorize the City Manager to execute the amendment on behalf of the City.

The motion carried by a 5-0 vote.

6.2 Approval of 2009 Edward Byrne Memorial Justice Assistance Grant Agreement to Transfer Funds. (502-15)

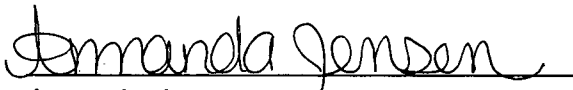
Motion was made by Mayor Pro Tem Ta, and seconded by Council Member Quach to:

- 1) Authorize the City Manager to execute the agreement with the Orange County Sheriff's Department to transfer funds for the Fiscal Year 2009 Edward Byrne Memorial Justice Assistance Grant (JAG) Program in the amount of \$35,787; and

- 2) Approve an appropriation of \$35,787 for the 2009 Edward Byrne Memorial Justice Assistance Grant (JAG) Program, Grant Revenue for the Fiscal Year 2009-10 budget; and
- 3) Approve an appropriation of \$35,787 to the JAG Fund expenditure budget for Fiscal Year 2009-10.

The motion carried by a 5-0 vote.

7. **WRITTEN COMMUNICATIONS (Public)** - None.
8. **LEGISLATIVE ITEMS** - None.
9. **COMMISSION AND COMMITTEE ITEMS** - None.
10. **COUNCIL/AGENCY ADJOURNMENT:** At 7:33 p.m., the Mayor/Agency Chair Rice adjourned the meeting to Wednesday, December 16, 2009 at 5:30 p.m. in the Large Conference Room, 8200 Westminster Boulevard, Westminster, California for the purpose of a closed session and followed at 7:00 p.m. in the Council Chambers for the purpose of an Adjourned Regular meeting.



Amanda Jensen

Assistant City Clerk/Agency Secretary